



Atty. Docket No.: 25436/1150

RECEIVED
MAY 07 2002
PATENT
TECH CENTER 4500/2900

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Sorge, et al.
Serial No.: 09/338,855
Filed: June 23, 1999
Entitled: "Methods of Enriching for and
Identifying Polymorphisms"

Examiner: Chakrabarti, A.

Group Art Unit: 1655

Conf. No.: 1888

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.10

I hereby certify that the paper (and any paper or fee referred to as being enclosed) is being deposited with the United States Postal Service using Express Mail to Addressee Service, under 37 C.F.R. Section 1.10, **Express Mail Label No. EV097553906US** on this date, May 2, 2002, postage prepaid, in an envelope addressed to Box: CPA, Commissioner for Patents, Washington, D.C. 20231.

Kathleen Williams

Name of Person Mailing Paper

Signature of Person Mailing Paper

Box: CPA
Commissioner for Patents
Washington, D.C. 20231

TRANSMITTAL LETTER

Enclosed for filing the above-identified patent application, please find the following documents:


1. CPA Request Transmittal;
2. Preliminary Amendment;
3. Check in the amount of \$723.00 for the requisite fees; and
4. Return Post Card.

The enclosed CPA request is filed in lieu of an Appeal Brief. A Notice of Appeal was received by the PTO on March 4, 2002.

Because this is filed within two months of receipt of the Notice of Appeal, no fees are believed to be due in relation to this filing. The Commissioner for Patents is authorized to charge any underpayment of fees to Deposit Account No. 16-0085, Reference 25436/1150. A duplicate of this transmittal letter is enclosed for this purpose.

Respectfully submitted,

Date: May 2, 2002


Name: Kathleen Williams
Registration No.: 34,380
Customer No.: 27495
Palmer & Dodge LLP
111 Huntington Avenue
Boston, MA 02199-7613
Tel: 617-239-0100

Express Mail Label No.: EV0953906US
Date of Deposit: May 2, 2002

05-03-02

PTO/SB/29 (10-80)

Approved for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL											
Submit an original, and a duplicate for fee processing. (Only for Continuation or Divisional applications under 37 CFR 1.53(d))											
CHECK BOX, if applicable: <input type="checkbox"/> DUPLICATE											
Address to: Assistant Commissioner for Patents Box CPA Washington, DC 20231	<table border="1"><tr><td>Attorney Docket No. of Prior Application</td><td>25436/1150</td></tr><tr><td>First Named Inventor</td><td>Sorge</td></tr><tr><td>Examiner Name</td><td>Chakrabarti, A</td></tr><tr><td>Group Art Unit</td><td>1655</td></tr><tr><td>Express Mail Label No.</td><td>EV097553906US</td></tr></table>	Attorney Docket No. of Prior Application	25436/1150	First Named Inventor	Sorge	Examiner Name	Chakrabarti, A	Group Art Unit	1655	Express Mail Label No.	EV097553906US
Attorney Docket No. of Prior Application	25436/1150										
First Named Inventor	Sorge										
Examiner Name	Chakrabarti, A										
Group Art Unit	1655										
Express Mail Label No.	EV097553906US										

This is a request for a ☒ continuation or ☐ divisional application under 37 CFR 1.53(d),
(continued prosecution application (CPA)) of prior application number 09 / 338,855,
filed on June 23, 1999, entitled "Methods of Enriching for and Identifying Polymorphisms"

NOTES

FILING QUALIFICATIONS: The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 CFR 1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371. Effective May 29, 2000, a CPA may only be filed in a utility or a plant application if the prior nonprovisional application was filed before May 29, 2000. A CPA may be filed in a design application regardless of the filing date of the prior application. See "Request for Continued Examination Practice changes to and Provisional Application Practice," Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office (Apr. 11, 2000).

C-I-P NOT PERMITTED: A continuation-in-part application cannot be filed as a CPA under 37 CFR 1.53(d), but must be filed under 37 CFR 1.53(b).

EXPRESS ABANDONMENT OF PRIOR APPLICATION: The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 CFR 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

ACCESS TO PRIOR APPLICATION: The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 CFR 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

35 U.S.C. 120 STATEMENT: In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 CFR 1.78(a).

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

- ☐ Enter the unentered amendment previously filed on _____ under 37 CFR 1.116 in the prior nonprovisional application.
- ☒ A preliminary amendment is enclosed.
- This application is filed by fewer than all the inventors named in the prior application, 37 CFR 1.53(d)(4).
 - ☐ **DELETE** the following inventor(s) named in the prior nonprovisional application:
.....
 - ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
- ☐ A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.
- Information Disclosure Statement (IDS) is enclosed:

a. <input type="checkbox"/> PTO-1449	05/06/2002 AWONDAF1 00000055 09338855
b. <input type="checkbox"/> Copies of IDS Citations	01 FC:231 370.00 OP

[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box CPA, Washington, DC 20231.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

MAY 07 2002

RECEIVED

CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATION
	TOTAL CLAIMS (37 CFR 1.16(c) or (j))	39 -20* =	19	x \$ 18	= \$ 342.00
	INDEPENDENT CLAIMS (37 CFR 1.16(b) or (i))	4 -3** =	1	x \$ 84	= \$ 84.00
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))			+ \$ 280	= \$ 280.00
				BASIC FEE (37 CFR 1.16)	\$ 740.00
				Total of above Calculations =	\$ 1,446.00
	Reduction by 50% for filing by small entity (Note 37 CFR 1.27).				\$ 723.00
	* Reissue claims in excess of 20 and over original patent. ** Reissue independent claims over original patent.			TOTAL =	\$ 723.00

6. ☒ Small entity status: Applicant claims small entity status. See 37 CFR 1.27.
7. The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. 16 - 0085; 25436/1150
- a. ☐ Fees required under 37 CFR 1.16.
- b. ☐ Fees required under 37 CFR 1.17.
- c. ☐ Fees required under 37 CFR 1.18.
8. ☒ A check in the amount of \$ 723.00 is enclosed.
9. ☐ Payment by credit card. Form PTO-2038 is attached.
10. ☐ Applicant requests suspension of action under 37 CFR 1.103(b) for a period of _____ months (not to exceed 3 months) and the fee under 37 CFR 1.17(i) is enclosed.
11. ☐ New Attorney Docket Number, if desired _____
[Prior application Attorney Docket Number will carryover to this CPA unless a new Attorney Docket Number has been provided herein.]
12. a. ☐ Receipt For Facsimile Transmitted CPA (PTO/SB/29A)
- b. ☒ Return Receipt Postcard (Should be specifically itemized, See MPEP 503)
13. ☐ Other: _____

NOTE: The prior application's correspondence address will carry over to this CPA
UNLESS a new correspondence address is provided below.

14. NEW CORRESPONDENCE ADDRESS☐ Customer Number or Bar Code Label

(Insert Customer No. or Attach bar code label here)

or ☐ New correspondence address below

Name				
Address				
City	State	Zip Code		
Country	Telephone	Fax		

15. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print /Type)

Signature

Registration No. (Attorney/Agent)

Date